

REMARKS

Claim 22 was reported in the Office Action as pending. Claim 22 is rejected. Claims 1-21 are cancelled. Claim 22 has been amended. Claim 22 remains.

In response to the above-noted Office Action, Applicant has amended Claim 22 responsive to the objection to Claim 22.

Claim 22 is rejected under 35 USC 102(e) as being anticipated by Tetsuo (JP 2006-092058).

In response to this rejection, Applicant notes that Tetsuo has a filing date of September 22, 2004. In this connection, Applicant notes that the International Application corresponding to the subject U.S. Application which was published as WO 2005-003471 in Japanese on January 13, 2005 has an international filing date of July 2, 2004 which predates the filing date of Tetsuo. In order to perfect Applicant's priority claim, submitted herewith is a verified English translation of the International Application which has a filing date earlier than Tetsuo.

In view of the foregoing, Applicant submits that Tetsuo is not prior art under 35 USC 102(e) and, therefore, the rejection of Claim 22 under 35 USC 102(e) as being anticipated by Tetsuo should be withdrawn.


Inasmuch as there are no other outstanding issues, Applicant submits that the subject application is now in condition for allowance, which early action is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 2/2/09


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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below


Linda Metz

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